



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/048,007	01/25/2002	Hiroshi Watanabe	614HC/50888	8101

23911	7590	07/18/2006	EXAMINER	
CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300			PAN, YUWEN	

ART UNIT	PAPER NUMBER
2618	

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/048,007	WATANABE ET AL.	
	Examiner	Art Unit	
	Yuwen Pan	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5/30/06</u> | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/26/06 has been entered.

Response to Arguments

2. Applicant's arguments filed 5/26/06 have been fully considered but they are not persuasive.

Applicant argues that newly added limitation overcomes prior art of record. The examiner respectfully disagrees. Chou reference teaches that the in-vehicle (working machine) hardware includes PDA, notebook computer, and GPS such that the user (an operator) in the vehicle is able to provide position information to the help dispatch during emergency (see column 3 and lines 47-60). Furthermore, text information message is passing between the vehicle and remote service center (see column 4 and lines 20-61). Therefore, previous rejection stands.

DETAILED ACTION

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Chou et al (US006330499B1).

Per claim 1, Chou discloses a communication system for working machines, said system comprising:

Controllers (figure 2) arranged on said working machine, respectively, for transmitting predetermined information from said respective working machines (see column 3 and lines 15-32),

A controller station (see figure 3, item 201) arranged at a remote location and connected to said controllers via a radio communication means such that said predetermined information outputted from each of said controllers is inputted in said control station (see column 5 and lines 1-12), and

A plurality of user stations (figure 3 and item 202) connected to said control station via network, characterized in that:

Each of said working machines are each provided with a transmission device operated by an operator instructing means for instructing transmission of the corresponding predetermined information to the control station (column 3 and lines 15-61); and

Said control station is provided with a terminal information database in which terminal information is stored (see column 5 and line 35-37), a customer information database in which text information set as desired by each user station customer is stored (see column 5 and lines 53-59), a terminal identification module to identify from said predetermined information and from said terminal information a corresponding one of the user stations to which the text information is to be transmitted, a selection module by which the information set as desired by a

Art Unit: 2618

user station customer is selected from the customer information database, and a transmitter, providing output to said corresponding one of the user stations identified by said terminal identification module (see, column 4 and lines 20-61, column 5 and line 53-column 6 and line 33).

Per claim 2, Chou further teaches that said predetermined information from each of said working machines includes identification information specific to said working machine (see column 9 and lines 4-8).

Per claim 3, Chou further teaches that with respect to all the working machines from which information are sent, said identification information on said individual working machines are stored corresponding to administration centers of said working machines in a working machine database arranged at said control station (figure 3 and item 203).

Per claim 4, Chou further teaches that said administration centers are each specified by said identification means on a basis of the corresponding identification information stored in said working machine database (see column 5 and lines 1-12).

Per claim 5 and 6, Chou further teaches that further teach that said control station has a customer database with transmission texts stored corresponding to said administration centers, and is provided with a selection means for selecting one of said transmission text corresponding to said specified administration center, from said customer database, said specified

Art Unit: 2618

administration center can rewrite, from the corresponding user station, at least said one transmission text in information stored in said customer data base (see column 9 and lines 8-27).

Per claims 7 and 8, Chou further teaches that working machines are each provided with a position detecting for detecting a current location of said working machine, and said predetermined information includes information on said location and said information on said location is included in said information transmitted from said control station (see figure 1 column 2 and lines 30-44).


Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuwen Pan whose telephone number is 571-272-7855. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anderson D. Matthew can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Yuwen Pan
July 14, 2006


Matthew D. Anderson
Supervisory Patent Examiner